

REMARKS

In response to the Office Action dated October 5, 2007, Applicant respectfully requests reconsideration based on the above amendment and following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 6-13 and 17-22 were rejected under 35 U.S.C. § 102 as being unpatentable over Miner. This rejection is traversed for the following reasons.

Claim 6 recites, *inter alia*, “receiving one or more parameters of a hold function, wherein the parameters include a user input predetermined time period during which the incoming call is placed on hold, and a list including at least one predetermined potential calling party from whom incoming calls are placed on hold, the user input predetermined time period during which the incoming call is placed on hold being obtained by interfacing with a scheduling program.” Miner fails to teach these features. In applying Miner the Examiner states that Miner teaches a predetermined time during which calls are put on hold by virtue of the fact that calls are put on hold when a called party is already on an existing call. As an initial matter, a pre-existing call is not a “user input predetermined time period during which the incoming call is placed on hold.” Existing calls can occur haphazardly and not at a predetermined time as recited in claim 6. Further, claim 6 recites “the user input predetermined time period during which the incoming call is placed on hold being obtained by interfacing with a scheduling program.” Support for this feature is found in at least paragraph [0048] of Applicant’s specification. Miner fails to teach using a scheduling program to define time periods when calls are placed on hold. Thus, Miner cannot anticipate claim 6.

For at least the above reasons, claim 6 is patentable over Miner. Claims 7-13 and 21 depend from claim 6 and are patentable over Miner for at least the reasons advanced with respect to claim 6.

Independent claim 17 recites features similar to those discussed with reference to claim 6. Thus, claim 17 is patentable over Miner. Claims 18-20 and 22 depend from claim 17 and are patentable over Miner for at least the reasons advanced with respect to claim 17.

Claims 14-16 were rejected under 35 U.S.C. § 103 as being unpatentable over Okun in view of Novak. This rejection is traversed for the following reasons.

Claim 14 recites, *inter alia*, “the determining based on a user input predetermined time period during which the incoming call is placed on hold, and a list including at least one predetermined potential calling party from whom incoming calls are placed on hold, the user input predetermined time period during which the incoming call is placed on hold being obtained by interfacing with a scheduling program.” There is no user input predetermined time period or predetermined potential calling party used in Okun. The Examiner cites to an “inopportune” time, but this is not a user input predetermined time period as recited in claim 14. Further, claim 14 recites “the user input predetermined time period during which the incoming call is placed on hold being obtained by interfacing with a scheduling program.” Support for this feature is found in at least paragraph [0048] of Applicant’s specification. Okun fails to teach using a scheduling program to define time periods when calls are placed on hold.

Dutta was relied upon for allegedly teaching a time period and potential calling party being used to control whether a call is placed on hold. Dutta fails to teach a user input predetermined time period during which the incoming call is placed on hold. In Dutta, the mobile device is placed into a hold mode based on locations where Bluetooth commands force hold mode, not user input predetermined times. Further, claim 14 recites “the user input predetermined time period during which the incoming call is placed on hold being obtained by interfacing with a scheduling program.” Dutta does not teach this feature. Thus, even if Okun and Dutta are combined, the use of a user input predetermined time period during which the incoming call is placed on hold is not taught or suggested.

For at least the above reasons, claim 14 is patentable Okun in view of Dutta. Claims 15 and 16 depend from claim 14 and are patentable over Okun in view of Dutta for at least the reasons advanced with respect to claim 14.

In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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